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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,072	05/31/2001	Gianpaolo Callioni	HP-10011194	3975

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 HEWLETT-PACKARD COMPANY
 Intellectual Property Administration
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EXAMINER

GRAHAM, CLEMENT B

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/873,072	Applicant(s) CALLIONI ET AL.	
	Examiner Clement B. Graham	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION
Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-16, are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The basis of this rejection is set forth in a two prong test of:

- (1) whether the invention is within the technological arts; and
- (2) whether the invention produces a useful, concrete and tangible result.

For a claimed invention to be statutory, the claimed invention must be within the technological arts. Mere ideas in the abstract (i.e., abstract idea, law of nature, natural phenomena) that do not apply, involve, use or advance the technological arts fail to promote the "progress of science and the useful arts" (i.e., the physical sciences as opposed to social sciences, for example) are found to be non-statutory subject matter. For a process claim to pass muster, the recited process must somehow apply, involve, use, or advance the technological arts. In the present case, claims 1-16, do not recite any structure or functionality to suggest that a computer performs the recited claims. Thus, claims 1-16 are rejected as being directed to non-statutory subject matter.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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3. Claims 1-20, are rejected under 35 U.S.C. 102(e) as being anticipated by Wilkinson U.S Pub: 2001/0049646 A1).

As per claim 1, Wilkinson discloses a process for providing a financial clearinghouse for a supply chain comprising the steps of:

- a) defining a plurality of business units comprising the supply chain;
- b) providing financing by the clearinghouse for at least one business unit wherein the supply chain is a factor in determining the degree of financing for the business unit. (see column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7) and
- c) coordinating supply chain transactions by the financial clearinghouse between the plurality of the business units (see column 1 paragraph 0006-0019 of column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

As per claim 2, Wilkinson discloses wherein the supply chain transactions comprises the flow of financial assets. (see column 1 paragraph 0006-0019 of column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

As per claim 3, Wilkinson discloses wherein the flow of financial assets comprises payments for value-added services.(see column 1 paragraph 0006-0019 of column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

As per claim 4, Wilkinson discloses wherein the flow of financial assets comprises payments for materials. (see column 1 paragraph 0006-0019 of column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

As per claim 5, Wilkinson discloses wherein the flow of financial assets comprises payments for logistic services.(see column 1 paragraph 0006-0019 of column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

As per claim 6, Wilkinson discloses wherein the flow of financial assets comprises credits for value-added services. (see column 1 paragraph 0006-0019 of column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

As per claim 7, Wilkinson discloses wherein the flow of financial assets comprises credits for materials.(see column 1 paragraph 0006-0019 of column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

As per claim 8, Wilkinson discloses wherein the flow of financial assets comprises credits for logistic services.(see column 1 paragraph 0006-0019 of column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

As per claim 9, Wilkinson discloses wherein the supply chain transactions comprises the transfer of materials.(see column 1 paragraph 0006-0019 of column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

As per claim 10, Wilkinson discloses wherein the transfer of materials comprises the transfer of raw materials. (see column 1 paragraph 0006-0019 of column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

As per claim 11, Wilkinson discloses wherein the transfer of materials comprises the transfer of parts and components.(see column 1 paragraph 0006-0019 of column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

As per claim 12, Wilkinson discloses wherein the transfer of materials comprises the transfer of finished products. (see column 1 paragraph 0006-0019 of column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

As per claim 13, Wilkinson discloses wherein the supply chain transactions comprises logistic services.(see column 1 paragraph 0006-0019 of column 2 and

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column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

As per claim 14, Wilkinson discloses wherein the logistic services comprises transportation of materials, further including transactions arising from import and export activities.(see column 1 paragraph 0006-0019 of column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

As per claim 15, Wilkinson discloses wherein the logistic services comprises storage of materials. (see column 1 paragraph 0006-0019 of column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

As per claim 16, Wilkinson discloses wherein the supply chain transactions comprises the exchange of information. (see column 1 paragraph 0006-0019 of column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

As per claim 17, Wilkinson discloses a computer system comprising: a bus; a memory unit coupled to the bus; and a processor coupled to the bus, said processor for executing a process for providing a financial clearinghouse for supply chains comprising the steps of:

a) defining a plurality of business units comprising the supply chain, b) providing financing by the clearinghouse for at least one business unit wherein the supply chain is a factor in determining the degree of financing for the business unit (column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7) and c) coordinating supply chain transactions by the financial clearinghouse between the plurality of the business units. (see column 1 paragraph 0006-0019 of column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

As per claim 18, Wilkinson discloses wherein the supply chain transactions comprises at least one of the following:
payments for value-added services, payments for materials, payments for logistic services, credits for value-added services, credits for materials (column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column

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7) credits for logistic services, transfer of raw materials, transfer of parts and components, transfer of finished products, transportation of materials, storage of materials, and the exchange of information. .(see column 1 paragraph 0006-0019 of column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

As per claim 19, Wilkinson discloses a computer-usable medium having computer-readable program code embodied therein for causing a computer system to perform the steps of:

a) defining a plurality of business units comprising the supply chain (column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7) b) providing financing by the clearinghouse for at least one business unit wherein the supply chain is a factor in determining the degree of financing for the business unit, and c) coordinating supply chain transactions by the financial clearinghouse between the plurality of the business units.(see column 1 paragraph 0006-0019 of column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

As per claim 20, Wilkinson discloses wherein the supply chain transactions comprises at least one of the following:

payments for value-added services, payments for materials, payments for logistic services, credits for value-added services, credits for materials, credits (column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7) for logistic services, transfer of raw materials, transfer of parts and components, transfer of finished products, transportation of materials, storage of materials, and the exchange of information. (see column 1 paragraph 0006-0019 of column 2 and column 4 paragraph 0031-0040 of column 4 and column 5 paragraph 0060-0049 of column 7).

Conclusion

4. The prior art of record and not relied upon is considered pertinent to Applicants disclosure.

Shoolery et al((US 5, 570, 283 Patent) teaches corporate travel controller.

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Walker et al (US 5, 794, 207 Patent) teaches apparatus and method cryptographically assisted commercial network system designed to facilitate buyer driven conditional purchase offers.

Vance et al (US Patent 6, 442, 526) teaches system for corporate travel.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

June 1, 2005


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